

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

CEMENT MASONS' UNION LOCAL NO. 592)
PENSION FUND, et al)
) CIVIL ACTION NO.:
Plaintiffs) 02-4716
v.)
))
RAINBOW CONSTRUCTION & DEMOLITION)
CO., INC., a/k/a Rainbow Construction Co.)
& Demolition)
))
Defendant)

**REQUEST TO CLERK TO ENTER DEFAULT
PURSUANT TO FED. R. CIV. PRO. 55(a)**

You will please enter a default on Defendant Rainbow Construction & Demolition Co., Inc., a/k/a Rainbow Construction Co. & Demolition for failure to plead or otherwise defend the Complaint filed on July 17, 2002, as provided in Rule 55(a) of the Federal Rules of Civil Procedure as appears in the attached Declaration of Shelley R. Goldner.

Respectfully submitted,

JENNINGS SIGMOND, P.C.

BY: SHELLEY R. GOLDNER
SHELLEY R. GOLDNER, ESQUIRE
(I.D. NO. 32896)
The Penn Mutual Towers, 16th Floor
510 Walnut Street, Independence Square
Philadelphia, PA 19106-3683
(215) 351-0644
Attorney for Plaintiffs

DATED: November 20, 2002

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

CEMENT MASONS' UNION LOCAL NO. 592)	
PENSION FUND, et al)	
)	CIVIL ACTION NO.:
Plaintiffs)	02-4716
)	
v.)	
)	
RAINBOW CONSTRUCTION & DEMOLITION)	
CO., INC., a/k/a Rainbow Construction Co.)	
& Demolition)	
)	
Defendant)	

DECLARATION OF SHELLEY R. GOLDNER, ESQUIRE
FOR ENTRY OF DEFAULT

Shelley R. Goldner, Esquire, having been first duly sworn according to law, hereby deposes and states as follows:

I am the attorney for the Plaintiffs in the above-entitled action.

The Complaint and Summons in this action were served on the Defendant, Rainbow Construction & Demolition Co., Inc., a/k/a Rainbow Construction Co. & Demolition by Stephen Nardy, Process Server, who served the Defendant by handing the Summons and Complaint to Evelyn Way, Owner, at 2533 West Hagert Street, Philadelphia, PA 19132 on September 10, 2002 as appears from the Affidavit of Service of Complaint which has been docketed with the Court. The time in which the Defendant may answer or otherwise move as to the Complaint has expired.

The Defendant has not answered or otherwise moved and the time for Defendant to answer or otherwise move has not been extended.

The Defendant is neither an infant nor incompetent person and is not in the military service.

I declare under penalty of perjury in accordance with
28 U.S.C. §1746 that the foregoing is true and correct
to the best of my knowledge, information and belief

Executed on: November 20, 2002

s/SHELLEY R. GOLDNER
SHELLEY R. GOLDNER, ESQUIRE

CERTIFICATE OF SERVICE

I, SHELLEY R. GOLDNER, ESQUIRE, state, under penalty of perjury, that the foregoing Request to Clerk to Enter Default Pursuant to Fed. R. Civ. Pro. 55(a) was served by mailing same first class mail, postage prepaid, on the date listed below to:

Rainbow Construction & Demolition Co., Inc.
2533 West Hagert Street
Philadelphia, PA 19132

s/SHELLEY R. GOLDNER
SHELLEY R. GOLDNER, ESQUIRE

DATE: November 20, 2002

THIS DOCUMENT HAS BEEN ELECTRONICALLY FILED AND IS AVAILABLE FOR
VIEWING AND DOWNLOADING FROM THE ECF SYSTEM